

33-17	Brian Maleska	51	17534	11566	50.00
DATE	RECEIVED FROM	RECD. BY	RECEIPT CODE	PROCESS NO.	PYMT. CODE

STEARNS COUNTY SHERIFF'S OFFICE
JOHN L. SANNER, SHERIFF
ST. CLOUD, MN 56303

PAYMENT CODE

C = CASH
V = CHECK
B = BOTH

CODES

- 1. ADVANCE PAYMENTS
- 2. MILEAGE
- 3. FEES

- 4. COPIES
- 5. MISCELLANEOUS
- 6. BAIL & FINES

- 7. EXECUTION
- 8. PROPERTY TAX
- 9. TAX PENALTY
- 10. CLERK OF COURTS

11566

St. Cloud, Minn. MARCH 17, 20 17

BRIAN MALESKA

No. 17 536

37013 CR 2

ST JOSEPH MN 56374

SHERIFF'S DAILY RECORD

<u>BRIAN MALESKA</u> Plaintiff	<u>AMOUNT OF FEES</u> <u>Service Fee</u> 50.00 <u>Deputy Time</u> <u>Copies</u> <u>Posting Notices</u> <u>Conducting Sale</u> <u>County Comm.</u>	<u>SUMMONS</u> <u>Kind of Process</u>									
<u>VS.</u> <u>BRANDON LEE GANZ</u> Defendant		<u>Date Served</u> <u>Served By</u>									
UPON WHOM PAPERS WERE SERVED		<u>OTHER DUTIES PERFORMED OR COMMENTS</u>									
<p style="text-align: center;"><i>PAID PAID MAR 17 2017 PAID BY CASH</i></p> <table border="1"><tr><td>ADVANCE:</td><td><u>11 Side</u></td><td>\$ <u>50.00</u></td></tr><tr><td>TOTAL CHARGES:</td><td></td><td>\$ <u>50.00</u></td></tr><tr><td>AMT. DUE:</td><td></td><td>\$ <u>-0-</u></td></tr></table>			ADVANCE:	<u>11 Side</u>	\$ <u>50.00</u>	TOTAL CHARGES:		\$ <u>50.00</u>	AMT. DUE:		\$ <u>-0-</u>
ADVANCE:	<u>11 Side</u>	\$ <u>50.00</u>									
TOTAL CHARGES:		\$ <u>50.00</u>									
AMT. DUE:		\$ <u>-0-</u>									

PLEASE RETURN THIS STATEMENT WITH YOUR REMITTANCE

STEARNS COUNTY SHERIFF
P.O. BOX 217
ST. CLOUD, MN 56302

CERTIFICATE OF SERVICE

FILE NO. _____

STATE OF MINNESOTA
COUNTY OF STEARNS

I hereby certify that on the 17TH day of MARCH 2017 at 1255 hrs, at:
807 COURTHOUSE SQ ST CLOUD,

County of Stearns, State of Minnesota, I duly served the following:

<input type="checkbox"/> Summons & Complaint	<input type="checkbox"/> Order Granting Petition for Ex Parte HRO, Petition, Affidavit	<input type="checkbox"/> Ex Parte Order for Protection, Petition, Affidavit
<input type="checkbox"/> Eviction Summons & Complaint	<input type="checkbox"/> Order Denying Petition	<input type="checkbox"/> Order for Hearing, Affidavit, Petition
<input type="checkbox"/> Order to Show Cause	<input type="checkbox"/> Harassment Order After Hrg.	<input type="checkbox"/> Order for Protection After Hrg.
<input type="checkbox"/> Notice of Motion	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Motion	<input type="checkbox"/> Statement of Claim and Summons	<input type="checkbox"/> Request for Hearing
<input type="checkbox"/> Affidavit		<input type="checkbox"/> Notice of Hearing
<input type="checkbox"/> Summons & Petition	<input type="checkbox"/> Writ of Recovery	

Notice of Mortgage Foreclosure Sale; Homestead Designation Notice; Help for Homeowners in
Foreclosure; Advice to Tenants; Notice of Redemption Rights, upon persons in possession of the land/premises
described in said Notice

OTHER: SUMMONS (U.S. BANKRUPTCY), ATTACHMENT

UPON THE FOLLOWING PARTY: BRANDON LEE GANZ

Personally

By leaving a copy with _____ a person of suitable age and
discretion residing therein.

By handing to and leaving with _____,
(corporate service) _____ (Name) _____ (Title)

CERTIFICATE OF VACANCY

I hereby certify that on the _____ day of _____, 20____, this officer went upon the land
and premises described as : _____
for the purpose of serving said persons in possession thereof; and that on said date, and for an unknown time
prior to, all said land is believed to be wholly vacant and unoccupied.

CERTIFICATE OF UNSERVED PROCESS

The attached process is being returned for the following reason(s):

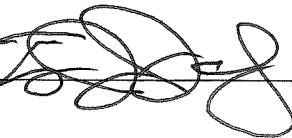
Person Moved, No Forwarding _____
 No Such Address _____
 Unable to Get Response _____

Date: 03-17-17

JOHN SANNER, SHERIFF OF STEARNS COUNTY

By:

, Deputy Sheriff



Benton County Sheriff's Office

Civil Process
581 Hwy 23, PO Box 159
Foley, MN 56329
(320) 968-8152

INVOICE

Brian Gerry Maleska vs. Brandon Lee Ganz

Invoice#	1630
Court File#	16-32918
Source File#	
Civil File#	16001507
Date	12-15-2016 1436

Brian Gerry Maleska
37013 County Road 2
St Joseph, MN 56374

Process Type: Summons and Complaint

Documents	
Type	Title
Bankruptcy Summons and Complaint	

Billables					
Billable Type	Service Date/Time	Notes	Quantity	Unit Price	Cost
Service Fee	12-23-2016 1744	Not Found/Brandon Lee Ganz	1	50.00	50.00
					Total: \$ 50.00

Payments				
Payment Type	Date	Check#	Description	Amount
01-200-000-0000-5500 Civil Process	12-15-2016	CASH		50.00
				Total: \$ 50.00

Invoice Total: \$ 50.00

Payment Total: \$ 50.00

Total Due: \$ 0.00

Please call the Civil Division with any questions.

Benton County Sheriff's Office

Civil Process
581 Hwy 23, PO Box 159
Foley, MN 56329
(320) 968-8152

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Documents

Type	Title
Bankruptcy Summons and Complaint	

Billables

Billable Type	Service Date/Time	Notes	Quantity	Unit Price	Cost
				Total:	\$ 0.00

Payments

Payment Type	Date	Check#	Description	Amount
Advance Fee	12-15-2016	CASH		50.00
			Total:	\$ 50.00

Invoice Total: \$ 0.00
Payment Total: \$ 50.00
Total Due: \$ -50.00

Please call the Civil Division with any questions.

STATE OF MINNESOTA
COUNTY OF BENTON

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 20_____, at _____ hours, at _____, in the City/Township of _____, in the County of Benton, State of Minnesota, I duly served the following:

<input type="checkbox"/> Summons & Complaint	<input type="checkbox"/> Summons & Petition	<input type="checkbox"/> Order to Show Cause
<input type="checkbox"/> Eviction Summons & Complaint	<input type="checkbox"/> Subpoena	<input type="checkbox"/> Notice of Motion & Motion Affidavit
Emergency (ExParte) Order for Protection, Affidavit and Petition, Domestic Abuse Instruction Sheet, and Petition for Hearing Form		
Order Granting Petition for ExParte Harassment Restraining Order, Affidavit and Petition, Important Notice to Respondent, and Request for Hearing		

UPON THE FOLLOWING PARTY:

by personally leaving a copy with _____
by leaving a copy at the place of _____'s usual abode with _____, a person of suitable age and discretion then residing therein.
I left with _____ personally the sum of \$_____ garnishment fees.
I left with _____ personally the sum of \$_____ witness fees for attendance and mileage.

CERTIFICATE OF NONSERVICE

I certify that I received the attached civil process on forcible entry and unlawful detainer on _____, 20_____, and that after a due and diligent search and careful inquiry at the (usual place of abode)(business), I have been unable to find or make service of said process on the following person(s): _____

Date and Time

Date and Time

POSTING, UNLAWFUL DETAINER

On the _____ day of _____ 20_____, pursuant to the request of the Plaintiff/Agent/Attorney herein, and in compliance with Minnesota Statutes Section and Chapter 566.06, I served the attached Eviction Summons and Complaint by posting a true copy thereof in a conspicuous place upon the building located at _____, Minnesota.

CERTIFICATE OF UNSERVED PROCESS

The attached process is returned for the following reason(s): Brandon Lee Ganz
c/o Andy's Towing, 675 Crescent St NE, St. Cloud and 1595 Peach Ct, Sauk Rapids

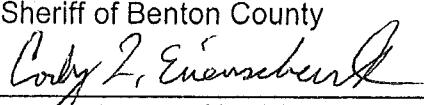
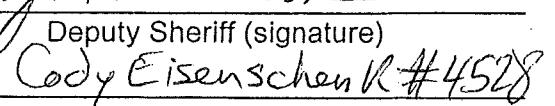
Person unknown at address Service Cancelled by Litigant
 Person Moved, New Address Unknown Unable to Locate Before Court Date
 Person Moved, New Address: _____ May have moved to St. Joseph MN, unknown address.

\$ 50.00 Sheriff's Fee

Travel

\$ 50.00 TOTAL

By:

Troy Heck
Sheriff of Benton County

Deputy Sheriff (signature)


Deputy Sheriff (printed)

Date: 12/24/16

Benton County Sheriff's Office

Civil Process
581 Hwy 23, PO Box 159
Foley, MN 56329
(320) 968-8152

INVOICE

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Process Type: Summons and Complaint

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Billable Type	Service Date/Time	Notes	Quantity	Unit Price	Cost
Service Fee	12-23-2016 1744	Not Found/Brandon Lee Ganz	1	50.00	50.00
Total:					\$ 50.00

Payments

Payment Type	Date	Check#	Description	Amount
01-200-000-0000-5500 Civil Process	12-15-2016	CASH		50.00
Total:				\$ 50.00

Invoice Total: \$ 50.00
Payment Total: \$ 50.00
Total Due: \$ 0.00

Please call the Civil Division with any questions.

United States Bankruptcy Court: District of Minnesota

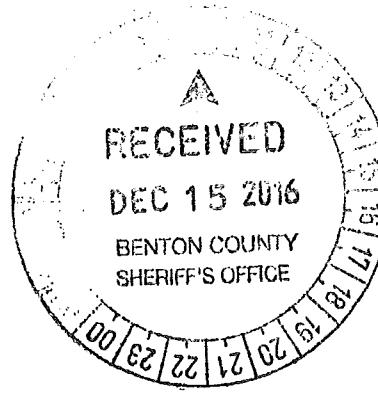
Case Number: 16-32918

Debtor: Brandon Lee Ganz

1595 Peach Court NE

Sauk Rapids, MN 56379

DOB: 03/29/1988



U.S. BANKRUPTCY COURT
SAUK RAPIDS, MN

16 DECEMBER 8:37

DEPT. OF STATE

Creditor: Brian Gerry Maleska

37013 Co Rd 2

Saint Joseph, MN 56374

DOB: 01/27/1984

Jurisdiction: Plaintiff and Defendant and Transferred business are all located in Minnesota.

Narrative Statement:

May 12th Brandon Lee Ganz took possession of Cowboy Cycle

June 6th of 2014 Brandon Lee Ganz agreed and signed a purchase agreement with Brian Gerry Maleska for the purchase of Cowboy Cycle for the amount of \$50,000.00. Brandon Lee Ganz implied the liquidation of his retirement to purchase Cowboy Cycle. Brandon Ganz stated in his bankruptcy filing he has no funds in a retirement account.

Ganz was to have paid for Cowboy Cycle by June 15th according to the purchase agreement.

On July 6th of 2014 Brian Maleska and Ronald Maleska were at Brian Maleska's residency when approached by Ganz. He told Maleska that if he didn't take \$30,000 for the business he would turn him in to the IRS. Ganz withheld receipts from when Maleska owned Cowboy Cycle and was attempting to black mail Maleska. (See attached text message)

July 7th of 2014 Brain and Ronald Maleska went to Cowboy Cycle to talk with Ganz about payment. Ganz had the police escort them off the property. (See Police report)

Cowboy Cycle was in business through August. Brandon took over half of the businesses asset and inventory to Sturgis Bike Rally in South Dakota on August 4th 2014. When returning August 9th near Faith, South Dakota on Highway 212 the trailer of inventory and equipment started on fire the trailer and everything inside was destroyed. Maleska was an additional policyholder through Colonial Insurance. Maleska did not receive compensation for the lost inventory.

Ganz neglected to pay lease to Myrel Neumann; therefore he was locked out of the business located at 2767 Quail Road NE Sauk Rapids, MN. Unsure of the exact date. After a year of no payment from Ganz, Neumann liquidated the rest of the business to recoup some of his loss from the lease. Ganz paid One month of the twenty-four month lease for the shop. After three months of non-payment Ganz was locked out. February of 2015 there was multiple break-ins to the building after Ganz was locked out. Attached there are 2 police reports.

Allegations: Ganz swindled and stole Cowboy Cycle from Maleska, with no intention of payment.

There relief Brian Gerry Maleska is seeking from Brandon Lee Ganz is the \$50,000 that was granted from the judge in the earlier settle case between Ganz and Maleska.



12-12-16

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:			SUMMONS
Brandon Lee Ganz		Debtor(s)	Adv. 16-03135
Brian Gerry Maleska	v.	Plaintiff(s)	Bky. 16-32918
Brandon Lee Ganz		Defendant(s)	

To the defendant(s) named above:

You are summoned and required to serve upon the attorney for the plaintiff(s), whose name and address is subscribed to the annexed complaint, an answer under Bankruptcy Rule 7012 to the complaint which is herewith served upon you, within thirty (30) days after the date this summons was issued, except that the United States and its officers and agencies shall file a motion or answer to the complaint within 35 days, and to forthwith file the answer with the clerk of this court. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Witness my official signature
and the seal of said court at
St. Paul in District of Minnesota

s/Lori Vosejpk
Clerk, United States Bankruptcy Court

Dated: 12/12/16



By: jamiesmith
Deputy Clerk
United States Bankruptcy Court
200 Warren E Burger Federal Building and
US Courthouse
316 N Robert St
St Paul, MN 55101

NOTE — The summons with complaint annexed is to be served within 7 days after the date issued under Bankruptcy Rule 7004(e). If the debtor is a defendant and represented by an attorney, the debtor and the attorney are each served separately under Rule 7004(b). Pursuant to Bankruptcy Rule 7004(b)(3), if the defendant is a corporation, partnership or other unincorporated association, a copy of the summons and complaint shall be served to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant.

02/15/93; 03/17/99;06/01/99;02042003

mnbsumad 11/14

